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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/594,004	06/14/2000	Reuben Bahar		8218

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03/25/2004

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EXAMINER

HA, LEYNNA A

ART UNIT

PAPER NUMBER

2135

2

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/594,004

Applicant(s)

BAHAR, REUBEN

Examiner

LEYNNA T. HA

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Pearce, et al. (US 6,243,468).

As per claim 1:

Pearce, et al. disclose a software anti-piracy system that includes a customer computer and remote service system in the form of a remote registration authority server that is interconnected by a network to provide data communication (col.3, line 66 – col.4, line 25). The registration server

receives and stores user data and the customer system receives the service data (col.6, lines 37-39). Pearce discusses initiating an association event to determine whether the user is pirating software application by storablely receiving user data on data storage element to associate to the archived data of remote service system (col.5, line 40 – col.6, line 47). The registration server selectively transmits service data to the user (col.6, lines 48-67) once the registration server determines the service data should be transmitted (col.7, lines 1-13). Pearce discusses selectively transmitting the service data by allowing the particular software product that has been verified having the proper identification (col.5, lines 33-45) and prevents repeated installation of the same software product on multiple different machines (col.7, lines 14-52).

As per claim 2: See col.5, line 30 thru col.6, line 29; discussing the user transmitting user data to the remote registration server.

As per claim 3: See col.5, lines 30-37 discussing program code sequence in the form of product ID.

As per claim 4: See col.5, lines 57-67 discussing identity information.

As per claim 5: See col.5, lines 30-37 discussing program code sequence in the form of product information.

As per claim 6: See col.5, lines 57-62 discussing system hardware information.

As per claim 7: See col.6, lines 47-57 and FIG.4; discussing user data is detected by the remote registration server.

As per claim 8: See col.5, lines 30-37 discussing program code sequence in the form of product ID.

As per claim 9: See col.5, lines 57-67 discussing identity information.

As per claim 10: See col.5, lines 30-37 discussing program code sequence in the form of product information.

As per claim 11: See col.5, lines 57-62 discussing system hardware information.

As per claim 12: See col.6, lines 44-47 and col.7, lines 1-8; discussing extracting from archived data.

As per claim 13: See col.5, lines 30-37 discussing program code sequence in the form of product ID.

As per claim 14: See col.6, lines 30-36 discussing promotional message that may be displayed to the user.

As per claim 15: See col.7, lines 1-13 discussing service data generated from archived data for processing service data.

As per claim 16: See col.5, lines 30-37 discussing program code sequence in the form of product ID.

As per claim 17: See col.6, lines 30-36 discussing promotional message that may be displayed to the user.

As per claim 18: See col.6, lines 44-47 discussing user data are stored on the data storage element of the remote registration server.

As per claim 19: See col.6, lines 25-50 discussing the uploading event.

As per claim 20: See col.6, lines 50-53 discussing manually transferring the service data.

As per claim 21: See col.6, lines 59-65 discussing the downloading event.

As per claim 22: See col.6, line 59 thru col.7, line 13; discussing second program code sequence that activates the software application.

As per claim 23:

Pearce discloses a software anti-piracy system that includes a customer computer and remote service system in the form of a remote registration authority server that is interconnected by a network to provide data communication (col.3, line 66 – col.4, line 25). The customer system receives the service data (col.6, lines 37-47) wherein includes a computer processor element, data storage element, element for transmitting the user, and element for storablely receiving service data (FIG.3 and col.4, lines 26-60). Pearce includes the registration server for selectively transmitting service data to the user (col.6, line 48 - col.7, line 13) wherein the remote registration server includes a computer processor element, data storage element, element for storablely receiving user data, element for processing service data, and element for transmitting the service data to the customer computer (FIG.2 and col.6, lines 37-57). Pearce discusses selectively transmitting the service data by allowing the particular software product that has been verified having the proper identification (col.5, lines 33-45) and prevents repeated installation of the same software product on multiple different machines (col.7, lines 14-52).

As per claim 24: See col.6, lines 47-57 and FIG.4; discussing user data is detected by the remote registration server.

As per claim 25: See col.6, lines 44-47 and col.7, lines 1-8; discussing extracting from archived data.

As per claim 26: See col.7, lines 1-13 discussing service data generated from archived data for processing service data.

As per claim 27: See col.6, lines 25-50 discussing the uploading event.

As per claim 28: See col.6, lines 50-53 discussing manually transferring the service data.

As per claim 29: See col.6, lines 59-65 discussing the downloading event.

As per claim 30: See col.6, line 59 thru col.7, line 13; discussing second program code sequence that activates the software application.

******For further details and explanations on the rejection, please see Pearce, et al. on col.3, line 66 - Et. SEQ.***

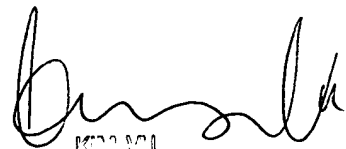
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEYNNA T. HA whose telephone number is (703) 305-3853. The examiner can normally be reached on Monday - Thursday (7:00 - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LHa


KIM VU
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